

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

-----X Docket No.: 2:18-cv-03099-DRH-GRB

D.W.M., a minor by Willie Moore, his father, and
Ursula Moore, his mother, **D.D.M.**, a minor by
Willie Moore, his father, and Ursula Moore, his mother,
and **WILLIE MOORE** and **URSULA MOORE**,

Plaintiffs,

-against-

**NOTICE OF
MOTION FOR DISMISSAL**
(Fed.R.Civ. P.12(b))

ST. MARY SCHOOL,
BIAGIO M. ARPINO, *Principal of St. Mary School*,
and **THE ROMAN CATHOLIC DIOCESE OF
ROCKVILLE CENTRE**,

KERRI LECHTRECKER, individually and as the mother
of **L.M.**, an infant, **"MIKE" JONES** and
CHRISTINE JONES, individually
and as parents and natural guardians of **M.J.**, an infant;
and **KRZYSZTOF MARS** and **DOROTA MARS**. Individually
and as the parents and natural guardians of **M.M.**, an infant,

Defendants.

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RELIEF SOUGHT

Defendants **KRZYSZTOF MARS** and **DOROTA MARS**. Individually
and as the parents and natural guardians of **M.M.**, an infant, moves this Court pursuant to
Federal Rules of Civil Procedure (F.R.C.P) §12(b) to dismiss the Complaint in this action for no
subject matter jurisdiction, failure to state a claim upon which relief can be granted and failure to
join a party pursuant to F.R.C.P. §19 Also relief is sought pursuant to F.R.C.P. 12(f) to strike
redundant, immaterial, impertinent, and scandalous matters from the Complaint.

RECORD ON MOTION

This motion is based on this document, the accompanying Memorandum of Law and on
the Plaintiff's Summons and Fourth Amended Verified Complaint attached hereto as

Exhibit "A". This motion is made at this time pursuant to the Order of this Court dated September 28, 2018.

Yours , etc.

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KRZYSZTOF MARS and **DOROTA MARS**. Individually and as the parents and natural guardians of **M.M.**, an infant

Dated: Port Jefferson Station, New York
September 28, 2018

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